

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RUSSELL, et al., §  
*Plaintiffs,* §  
v. § Case No. 4:19-cv-00226  
§ (Class Action)  
HARRIS COUNTY, TEXAS, et al., §  
*Defendants.* §

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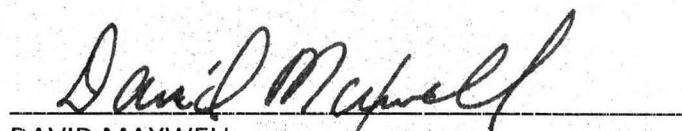
**DECLARATION OF DAVID MAXWELL**

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1. I, David Maxwell, have served in the role of Director of the Law Enforcement Division at the Texas Attorney General's Office since 2010. I began my career in law enforcement in November of 1972 with the Texas Department of Public Safety. I spent eight years as a Trooper in Harris County, Texas, five years as an Investigator in the Narcotics Division and twenty-five years as a Texas Ranger. This is my forty-eighth year with the state of Texas.
2. My job duties consist of providing assistance to other state and local authorities in conducting complicated criminal investigations and pursuing dangerous fugitives across the State of Texas. Our Fugitive Unit was formed in 2003 and has to this date arrested over 12,000 dangerous fugitives. Our experience has taught us that these individuals continue to victimize the citizens of Texas while they remain free on our streets avoiding apprehension. Our first duty is to be the voice of the victims in Texas and act as their advocate. I don't take this responsibility lightly.
3. The men and women who work for me are passionate in protecting the citizens of Texas by arresting these fugitives. The Fugitive Unit routinely arrests on average from 100 to 150 fugitives a month.
4. To release serious felons back onto the streets of Texas without an individualized assessment of their risk by a judge would be a huge injustice, a strain on already taxed law enforcement resources, and endanger law enforcement, especially those tasked with apprehending absconding fugitives.
5. We are living in an increasing violent world as police officers. Many of these fugitives that we pursue are using deadly force to avoid apprehension more often than anytime I have seen during my career.

6. Prior to December 2018 no officer with the Texas Attorney General's Office had been wounded in the line of duty by deadly force. While pursuing a fugitive in the Houston area with the Harris County Sheriff's Office the arrest team was ambushed by the fugitive wounding our Captain and a Deputy Sheriff. Captain Hensley was shot nine times by the fugitive and the Deputy was shot in his right hand, shattering his hand. Captain Hensley has recovered from his wounds and is back to work.
7. The State of Texas has a critical problem with apprehending felons across this state on several levels. Most of the local agencies do not have the man power and resources to actively pursue violators as they are consumed with answering the daily crimes being reported and pursuing fugitives that are not showing up for court dates arising out of local charges. To release more criminals back on the streets would only exacerbate an already difficult problem.
8. Based on my forty-eight years of experience, I firmly believe that the release of inmates would not be in the public interest.

SIGNED this 31st day of March, 2020.



DAVID MAXWELL  
Director of the Law Enforcement Division  
Office of the Attorney General of Texas